

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

No. 2:18-cr-02739-KG

v.

EMANUEL FERMAN,

Defendant.

**ORDER DIRECTING GOVERNMENT TO  
HAVE EXHIBIT TRANSCRIBED**

**THIS MATTER** comes before the Court *sua sponte* following the November 28, 2018 hearing on Defendant's motion to dismiss. During the course of the November 28, 2018 hearing, the Court admitted Government Exhibit I into evidence. Government Exhibit I is a CD recording of the November 16, 2004 removal hearing that resulted in an order for Defendant's removal from the United States. Prior to the November 28, 2018 hearing, the Court listened to the audio on Government's Exhibit I, and during the November 28, 2018 hearing, the parties played Government Exhibit I. The audio recording contained on Government Exhibit I is of poor quality, so that it is very difficult to understand what the participants of the November 16, 2004 hearing are saying. Accordingly, to ensure that the Court is able to know what was said by each participant during the November 16, 2004 hearing, the Government should have Government Exhibit I transcribed by a court reporter and should file the transcript with the Court.

**IT IS, THEREFORE, ORDERED** that the Government shall cause the audio recording on Government Exhibit I to be transcribed by a court reporter and shall file the transcript of the

audio recording with the Court on or before **December 19, 2018**.

A handwritten signature in black ink, reading "Kevin Sweazea". The signature is written in a cursive style with a large initial "K".

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KEVIN R. SWEAZE  
UNITED STATES MAGISTRATE JUDGE